IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO. 229 OF 2005

IN

SUIT NO. 1534 OF 2004

Vijaya Bank .. Plaintiffs.

vs.

Ashok Jagannath Bhandare

& Anr. .. Defendants.

Mr. S.A. Shetty for the plaintiffs.

None for defendants.

CORAM : S.U.KAMDAR, J.

DATE : 23rd January,2006.

P.C.

. The present suit is filed by the plaintiffs on the basis of a housing loan lent and advanced by the plaintiffs to the defendants. In my opinion, the suit is based on account and cannot be maintained as a summary suit. Unconditional leave to defend is granted as against defendant no. 1. As against defendant no. 2, suit to be placed in the category of "undefended suits".

2. Suit transferred to the list of Commercial

Causes. Written Statement or points of defence to be filed four weeks from the date of deposit. Affidavits list of documents to be filed within four weeks thereafter. Inspection within four weeks thereafter. Suit to be on Board of the learned Judge taking Commercial Causes.